

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN DANIEL FUCHS**, on January 28, 2003 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Daniel Fuchs, Chairman (R)
Rep. Ronald Devlin, Vice Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Joe Balyeat (R)
Rep. Gary Branae (D)
Rep. Eileen J. Carney (D)
Rep. Jill Cohenour (D)
Rep. Larry Cyr (D)
Rep. Gary Forrester (D)
Rep. Kim Gillan (D)
Rep. Verdell Jackson (R)
Rep. Bob Lake (R)
Rep. Carol Lambert (R)
Rep. Jesse Laslovich (D)
Rep. Jim Peterson (R)
Rep. John (Jack) W. Ross (R)
Rep. Karl Waitschies (R)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Jeff Martin, Legislative Branch

Please Note: Video Taped Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: HB 204, POSTPONED TO A DATE
UNCERTAIN
HB 268, TABLED
HB 376, DO PASS AS AMENDED, 14-0

8:03 a.m. **CHAIRMAN FUCHS** appointed a Tobacco Tax Sub-Committee:
REP. LAKE, Chairman
REP. LAMBERT
REP. CYR
REP. COHENOUR

EXHIBIT(tah18a01)

Motion: 8:05 a.m. **CHAIRMAN FUCHS** moved that **HB 204 DO PASS.**

8:05 a.m. **REP. CARNEY**

8:06 a.m. **REP. LAMBERT**

8:07 a.m. **REP. ANDERSON**

8:07 a.m. **REP. ERICKSON**

8:09 a.m. **REP. DEVLIN**

8:11 a.m. **REP. LASLOVICH**

8:12 a.m. **REP. PETERSON**

8:14 a.m. **CHAIRMAN FUCHS**

8:16 a.m. **REP. LAKE**

8:18 a.m. **CHAIRMAN FUCHS**

8:18 a.m. **REP. ERICKSON**

8:18 a.m. **REP. GILLAN**

8:21 a.m. **REP. PETERSON**

8:21 a.m. **CHAIRMAN FUCHS**

8:22 a.m. **REP. WAITSCHIES**

8:23 a.m. **CHAIRMAN FUCHS**

8:23 a.m. REP. CARNEY

8:23 a.m. REP. BRANAE

8:24 a.m. REP. FORRESTER

8:26 a.m. REP. LAMBERT

8:27 a.m. REP. ERICKSON

8:27 a.m. REP. CYR

8:28 a.m. REP. CARNEY

8:29 a.m. REP. GILLAN

8:30 a.m. REP. ERICKSON

8:31 a.m. CHAIRMAN FUCHS

Motion/Vote: REP. LAMBERT moved that HB 204 BE POSTPONED TO A DATE UNCERTAIN. Motion carried unanimously 18-0 by voice vote.

EXECUTIVE ACTION ON HB 376

Motion: REP. WAITSCHIES moved that HB 376 DO PASS.

Motion: REP. WAITSCHIES moved that HB 376 DO PASS AS AMENDED.
EXHIBIT(tah18a02)

Motion: REP. FORRESTER moved that HB 376 BE AMENDED.

8:35 a.m. Jeff Martin

8:36 a.m. REP. FORRESTER

8:37 a.m. REP. BALYEAT

8:37 a.m. Jeff Martin

8:37 a.m. REP. CARNEY

8:37 a.m. Jeff Martin

8:37 a.m. CHAIRMAN FUCHS

Vote: Motion that HB 376 BE AMENDED carried unanimously by voice vote.

8:38 a.m. REP. LAKE

Motion: 8:48 a.m. REP. DEVLIN moved that HB 376 DO PASS AS AMENDED.

Motion: 8:39 a.m. REP. BALLYEAT moved that HB 376 BE AMENDED TO REQUIRE NO SPECIAL ELECTION.

8:39 a.m. REP. DEVLIN

8:40 a.m. REP. BALLYEAT

8:41 a.m. REP. BALLYEAT

8:41 a.m. REP. JACKSON

8:41 a.m. REP. GILLAN

8:42 a.m. REP. BALLYEAT

8:42 a.m. REP. GILLAN

Vote: 8:43 a.m. Motion that HB 376 BE AMENDED failed 4-14 with REPS. BALLYEAT, FORRESTER, JACKSON, and LAKE voting aye by roll call vote.

8:46 a.m. REP. ERICKSON

Substitute Motion/Vote: 8:47 a.m. REP. LAKE made a substitute motion that HB 376 BE INDEFINITELY POSTPONED. Substitute motion failed with REPS. COHENOUR, CYR, ERICKSON, GILLAN, LAKE, and PETERSON voting aye by roll call vote.

8:48 a.m. CHAIRMAN FUCHS

Vote: 8:49 a.m. Motion that HB 376 DO PASS AS AMENDED carried 14-4 with REPS. BALLYEAT, FORRESTER, GILLAN, and LAKE voting no.

EXECUTIVE ACTION ON HB 268

Motion: REP. ERICKSON moved that HB 268 DO PASS.

8:52 a.m. REP. BALLYEAT

8:55 a.m. **REP. CARNEY**

8:56 a.m. **REP. PETERSON**

8:57 a.m. **REP. COHENOUR** returns.

8:57 a.m. **REP. JACKSON**

8:59 a.m. **REP. WAITSCHIES**

9:00 a.m. **REP. GILLAN**

9:01 a.m. **REP. ERICKSON**

9:02 a.m. **REP. BALYEAT**

Motion: **REP. GILLAN** moved that **HB 268 BE AMENDED** to change p. 2, line 29, from \$5000 to \$10,000.

9:04 a.m. **REP. LAMBERT**

9:05 a.m. **REP. LAKE**

9:06 a.m. **Jeff Martin**

9:07 a.m. **REP. BALYEAT**

9:08 a.m. **REP. GILLAN** withdrew the **AMENDMENT**.

9:10 a.m. **REP. COHENOUR**

9:11 a.m. **REP. LASLOVICH**

9:14 a.m. **REP. CARNEY**

9:15 a.m. **REP. CYR**

9:16 a.m. **REP. COHENOUR**

9:17 a.m. **REP. ROSS**

9:17 a.m. **REP. ERICKSON**

Vote: Motion that **HB 268 DO PASS AS AMENDED** failed 7-11 with **BRANAE, CARNEY, COHENOUR, CYR, ERICKSON, GILLAN, and LASLOVICH** voting aye.

Motion/Vote: 9:19 a.m. REP. PETERSON moved that **THE VOTE ON HB 268 BE REVERSED AND THE BILL TABLED. Motion carried unanimously.**

ADJOURNMENT

Adjournment: 9:20 A.M.

REP. DANIEL FUCHS, Chairman

KATHLEEN ELY, Secretary

DF/KE

EXHIBIT (tah18aad)